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Date: May 23, 2000

Docket No.: 1190-448P

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

This is a Request for filing a ☐ continuation ☒ divisional application under 37 C.F.R. § 1.53(b) of pending prior Application No. 09/368,359 filed on August 5, 1999, the entire contents of which are hereby incorporated by reference, by

Kazuhiko NAKANE and Hiroyuki OHATA

for

AN OPTICAL DISK, AN OPTICAL DISK DEVICE, AND A METHOD OF MANAGING DEFECTS IN AN OPTICAL DISK (TO BE AMENDED)

1. ☒ Enclosed is an application consisting of specification, claims, declaration and drawings/photographs (if applicable).
2. ☒ The filing fee has been calculated as follows:

	BASIC FEE		LARGE ENTITY	SMALL ENTITY
	NUMBER FILED	NUMBER EXTRA	RATE FEE	RATE FEE
TOTAL CLAIMS	8-20 =	0	x 18 = \$0.00	x 9 = \$0.00
INDEPENDENT CLAIMS	4-3 =	1	x 78 = \$78.00	x 39 = \$0.00
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS PRESENTED			+ \$260.00	+ \$130.00
TOTAL			\$768.00	\$0.00

3. ☒ A check in the amount of \$768.00 to cover the filing fee and recording fee (if applicable) is enclosed.
4. ☐ Please charge Deposit Account No. 02-2448 in the amount of \$0.00. A triplicate copy of this request is enclosed.
5. Amend the specification by inserting before the first line thereof the following:

a. ☒ --This application is a ☐ continuation ☒ divisional of co-pending Application No. 09/368,359, filed on August 5, 1999, the entire contents of which are hereby incorporated by reference.--

b. ☐ --This application is a ☐ continuation ☐ divisional of co-pending Application No. 09/368,359, filed on August 5, 1999. Application No. 09/368,359 is the national phase of PCT International Application No. PCT/_____/_____ filed on _____ under 35 U.S.C. § 371. The entire contents of each of the above-identified applications are hereby incorporated by reference.--

6. ☒ Enclosed is/are twelve (12) sheet(s) of formal drawings and/or photographs.
7. ☐ A statement claiming small entity status was filed in prior Application No. 09/368,359 on _____. See the attached copy of the statement claiming small entity status.

8. ☒ The prior application is assigned to Mitsubishi Denki Kabushiki Kaisha.
9. ☒ A Preliminary Amendment is enclosed.
- 10a. ☒ Priority of Application No(s). 222003 filed in Japan on August 5, 1998 is/are claimed under 35 U.S.C. § 119. See attached copy of the Letter claiming priority filed in the prior application on August 5, 1999.
- 10b. ☐ Priority of International Appln. _____ filed on _____ under the Patent Cooperation Treaty and _____ Application No. _____ filed in _____ on _____ under 35 U.S.C. § 119 are hereby reclaimed.
11. ☒ An Information Disclosure Statement and PTO-1449 form(s) are attached hereto for the Examiner's consideration.
12. ☒ Address all future communications to:

BIRCH, STEWART, KOLASCH & BIRCH, LLP
P.O. Box 747
Falls Church, VA 22040-0747
Telephone: (703) 205-8000

or
Customer No. 2292
13. ☐ An extension of time for _____ () month(s) until _____ has been submitted in parent Application No. 09/368,359 in order to establish co-pendency with the present application.
14. ☐ Also enclosed herewith is the following:

